

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Charles Atchison
Serial No.: 10/624,320
Filed: July 22, 2003
For: METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR
QUERYING A DATABASE FOR EMPLOYEE DATA AND ORGANIZING THE
OBTAINED DATA

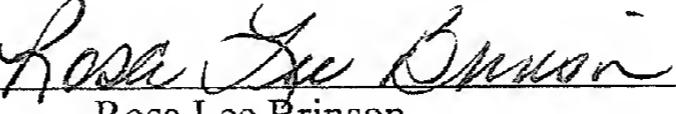
Confirmation No.: 7307
Examiner: Charles Edward Lu
Group Art Unit: 2161

Date: August 21, 2007

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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on August 21, 2007.

Signature: 
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APPELLANT'S REPLY BRIEF ON APPEAL UNDER 37 C.F.R. §41.41

Sir:

This Reply Brief is filed in response to the Examiner's Answer mailed June 27, 2007.

It is not believed that an extension of time and/or additional fee(s) are required, beyond those that may otherwise be provided for in documents accompanying this paper. In the event, however, that an extension of time is necessary to allow consideration of this paper, such an extension is hereby petitioned for under 37 C.F.R. §1.136(a). Any additional fees believed to be due in connection with this paper may be charged to Deposit Account No. 50-0220.

I. The Examiner's Answer – Response to Argument

Appellant will refrain herein from readdressing all of the deficiencies with the pending rejections and, therefore, in the interest of brevity, Appellant hereby incorporates herein the arguments set out in Appellants' Brief on Appeal filed May 2, 2007 (hereinafter "Brief") as if set forth in their entirety. Accordingly, Appellant will only address new arguments made in the Examiner's Answer.

In the "Response to Argument" section beginning on page 10, the Examiner's Answer attempts to rebut Appellant's arguments set forth in Section II of the Brief. Appellant will respond to the arguments in the Examiner's Answer for each of these sections below.

A. Section 10b - i of the Examiner's Answer

The Examiner's Answer states that the rendering of a concrete workbook from a virtual workbook corresponds to the recitation of "querying the employee database by applying respective ones of the query criteria to respective ones of a plurality of employees" from independent Claim 1 and similar recitations of independent Claims 9 and 17. (Examiner's Answer, pages 10 and 11). Appellant respectfully submits that the Examiner's Answer appears to confuse the term "workbook" with "database." Handsaker defines a "workbook" in paragraphs 5 and 6 as follows:

[0005] Individual two-dimensional spreadsheets can be organized into a larger entity known as a notebook or workbook. The terms spreadsheet or worksheet will be used interchangeably herein, as will the terms notebook or workbook.

[0006] When worksheets are grouped together to form a workbook, the workbook and all of its worksheets are stored together as a single file (i.e. the workbook becomes the unit of storage and transfer when moving data between the program's memory space and disk storage). Formulas stored in worksheet cells can reference other cells that are in worksheets in the same workbook and/or cells that are in worksheets in a different workbook. When formulas refer to a different workbook, however, known prior art spreadsheet programs cannot automatically recalculate formula values unless that other workbook has also been loaded into the program's memory space. These prior art spreadsheet programs do not allow multiple copies of the same workbook to be loaded into memory simultaneously and they do not allow multiple what-if scenarios to be calculated simultaneously. (Emphasis added).

Thus, according to Handsaker, a worksheet is a spreadsheet and a workbook is a group of worksheets or spreadsheets. The Microsoft Press Computer Dictionary, Third Edition, defines a spreadsheet program as follows:

An application commonly used for budgets, forecasting, and other finance-related tasks that organizes data values using cells, where the relationships between cells

are defined by formulas. A change to one cell produces changes to related cells. Spreadsheet programs usually provide graphing capabilities for output and a variety of formatting options for text, numeric values, and graph features.

The Microsoft Press Computer Dictionary, Third Edition, defines a database as follows:

A file composed of records, each containing fields together with a set of operations for searching, sorting, recombining, and other functions.

Appellant submits that a spreadsheet is not the same as a database. A database associates fields together in a construct called a record. By contrast, a spreadsheet associates information stored in cells through the use of formulas. For at least these additional reasons, Appellant submits that Handsaker's description of generating a "concrete workbook" from a "virtual workbook" does not disclose or suggest the recitation of "querying the employee database by applying respective ones of the query criteria to respective ones of a plurality of employees" from independent Claim 1 and similar recitations of independent Claims 9 and 17.

B. Section 10b - ii of the Examiner's Answer

The Examiner's Answer states that querying a virtual workbook to generate a concrete workbook as described in Handsaker teaches querying an employee database. (Examiner's Answer, page 11). Appellant disagrees. As discussed above in Section A, a workbook is a group of spreadsheets and a spreadsheet is not the same as a database.

C. Section 10b - iii of the Examiner's Answer

The Examiner's Answer states that, according to Handsaker, a database query is performed before the workbooks are created. Moreover, the claim language does not require creation of workbooks that are not based on pre-existing workbooks. As discussed above in Sections A and B, Handsaker describes generating one set of spreadsheets (concrete workbook) from another set of spreadsheets (virtual workbook). The claim language recites querying of an employee database, which Handsaker does not disclose or suggest.

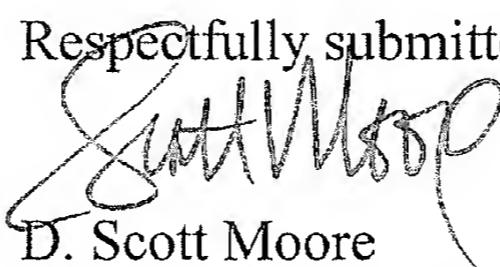
D. Section 10b - iv of the Examiner's Answer

The Examiner's Answer attempts to rebut Appellant's argument that even if Handsaker and Szlam were combined, their teachings do not disclose or suggest providing folders corresponding to respective ones of the plurality of query criteria and also Appellant's argument that there is no motivation to combine Handsaker and Szlam on pages 12 and 13. Appellant refers to pages 7 - 9 of the Brief in response to the Examiner's Answer.

The Examiner's Answer states "[i]t is further noted that 'reserving storage locations for query criteria' is not claimed and will not be further addressed by the Examiner at this time." (Examiner's Answer, page 13). While Appellant acknowledges that "reserving storage locations for query criteria" is not recited in the independent claims, independent Claim 1 does recite "providing a plurality of folders, respective ones of the plurality of folders corresponding to respective ones of the plurality of query criteria." (Emphasis added). Independent Claims 9 and 17 include a similar recitation. According to the independent claims, each folder corresponds to a specific query criterion. Appellant continues to maintain that Handsaker does not include any disclosure or suggestion of the desirability of providing separate storage places, such as folders, for the results of separate spreadsheet queries.

II. Conclusion

For at least the reasons set forth in above and in Appellant's Brief on Appeal, Appellant requests reversal of the rejections of the pending claims, allowance of the pending claims, and passing of the application to issue.

Respectfully submitted,

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